

## **IC 16-22-2.5**

### **Chapter 2.5. Standards for Members of a Governing Board**

#### **IC 16-22-2.5-1**

##### **Discharge of duties**

Sec. 1. (a) A member of a governing board shall, based on facts then known to the member, discharge the member's duties as follows:

- (1) In good faith.
- (2) With the care an ordinarily prudent person in a like position would exercise under similar circumstances.
- (3) In a manner the member reasonably believes to be in the best interests of the hospital.

(b) In discharging the member's duties, a member may rely on information, opinions, reports, or statements, including financial statements and other financial data, if prepared or presented by one (1) of the following:

- (1) A person whom the member reasonably believes to be reliable and competent in the matters presented.
- (2) Legal counsel, public accountants, or other persons as to matters the member reasonably believes are within the person's professional or expert competence.

(c) A member is not acting in good faith if the member has knowledge concerning a matter in question that makes reliance otherwise permitted by subsection (b) unwarranted.

*As added by P.L.125-2006, SEC.4.*

#### **IC 16-22-2.5-2**

##### **Confidential information**

Sec. 2. All proprietary and competitive information concerning the county hospital is confidential. A member of a governing board may not disclose confidential information concerning the county hospital to any person not authorized to receive this information.

*As added by P.L.125-2006, SEC.4.*

#### **IC 16-22-2.5-3**

##### **Removal of member**

Sec. 3. (a) A member of a governing board who violates this chapter may be removed from the governing board by action of the board.

- (b) The county executive may not:
- (1) reappoint to a governing board; or
  - (2) appoint to a governing board;

an individual who violated this chapter while serving or after serving as a member of a governing board.

*As added by P.L.125-2006, SEC.4.*

#### **IC 16-22-2.5-4**

##### **Physician members**

Sec. 4. (a) A licensed physician is eligible for appointment to a county hospital governing board only if the physician is an active

member of the medical staff of the hospital or holds a position that is equivalent to being an active member of the medical staff of the hospital.

(b) A physician who is terminated from the medical staff of the hospital is removed from the governing board by operation of law.

(c) A physician whose clinical privileges or staff membership privileges have been significantly reduced shall be removed from the governing board by action of the board.

(d) If a hospital governing board has two (2) physician members under IC 16-22-2-7 or IC 16-22-2-8, only one (1) physician member must be an active member of the medical staff of the hospital or hold a position that is equivalent to being an active member of the medical staff of the hospital.

*As added by P.L.125-2006, SEC.4.*